

Application/Control Number: 09/965,593
Art Unit: 2157

7. We respectfully submit to the examiner that Purnaveja is unrelated to Duval on the basis it employs a dissimilar and incompatible media type for the delivery of audio-visual content.

Dissimilar: as the examiner has already noted that streamed media has similar characteristics but not identical to traditional broadcast media. Both media types could both contain Audio, video and embedded data. Dissimilarities lie in the nature of broadcast video (either analog or digital) where embedded content is typically captured and brought to the IP domain using a specialized box or TV tuner card. IP data is all digital and in an IP format from creation to usage there is no "cross-over to the IP domain. Streamed media by its very nature lives solely in the IP domain. Thus the necessary infrastructure to capture and distribute interactive content using either a client-side [prior art in the ATVEF standard] or [in Duval's case] server-side method is completely irrelevant. Duval is dissimilar with Purnaveja as a complex infrastructure to bring content embedded in a Non-IP based (i.e. Television) to the IP domain is unnecessary redundant in Purnaveja.

Incompatible: While Purnaveja teaches a computer-implemented method for distributing interactive data synchronized with a performance of audio-visual content. The methods employed and nature of the audio-visual content is very different. Purnaveja relies on audio-visual content delivered over the Internet. His patent goes to great lengths to describe the encoding process, authoring, and delivery of the audio-video content over the Internet. Purnaveja in his claims relies solely on "video streams from a stream server over a computer network" (in all his claims 1, 2, 3...). This audio-video delivery method is different and incompatible with Duval's. From a typical user experience you can't watch two video events audio, video and data at the same time.

Duval's invention is unique in that employs standard broadcast TV content over traditional delivery methods and separates the embedded interactive IP content from the video using a server "Distributor" before it reaches the ender viewer. Purnaveja's approach is unified all the audio/video/data are processed for viewing at the client side.

Duval's invention sole purpose is to content two previously disparate media formats traditional broadcast video and the Internet. Duval's invention relies on industry standard methods of encoding and authoring data and builds a scalable infrastructure to disseminate interactive content existing in traditional broadcasts. It does not need, use, or describe the proprietary encoding and authoring process required for Purnaveja. Purnaveja's encoding method is in fact incompatible with ATVEF standards that Duval relies on.

Claim Rejections – 35 USC § 103

8. Noted: basis for all obviousness rejections.
9. We respectfully submit to the examiner that Weinstein's invention is not related to Duval's on the basis that it does not teach any method for linking interactive

Application/Control Number: 09/965,593
Art Unit: 2157

content to a plurality of broadcast channels via any scalable method for distributing interactive link information.

Dissimilar: Weinstein mostly teaches User Interface elements for the display of combined interactive content, which is not in the scope of Duval's application. Weinstein also does not teach any means of the user accessing interactive content on the display, other than simply typing a homepage URL. This is the primary function and purpose of Duval's invention.

In column 7, line 25 Weinstein teaches "selecting a webpage, such as an initial page or page, at which the particular individual recipients can begin receiving web content." It does not describe a method describing a method of "distributing the interactive data to the plurality of users... wherein the distributing is synchronized with the ... audio-visual content". [Duval claim 1, or other claims, as seen in a overview in Fig 5A]

Weinstein also cites in an alternative embodiment that the [column 8, line 49] "the broadcast television signal can include much other information such as to web content (URLS or embedded web objects), in the VBI ... However Weinstein goes on to say that system 100 can use this other information to display options to the individual recipients. This method is known and is common in the industry for dealing with interactive content. [See the Advanced Television Enhancement Forum, www.atvef.com] However, Duval teaches another method wherein the embedded links are decoded on a "Distribution Server - 102 [Duval fig 5A] and sent via Duval's invention to the User-Client -115 [Duval fig 5A] recipient's computer.

Un-combinable: Finally, simply combining Weinstein and Purnaveja would NOT give any insight to Duval's invention. 6018768 - Ullman, 6326982 - Wu, 6430743- Matsuura, 643875- Voyticky, and 2003/0005463 A1 Macrae are examples of prior art on how other inventors tried to cope with a similar problem merging video with interactive content. The sheer volume of prior art would lead one to believe that the solutions are many and are certainly not obvious. However, Duval is unique in the field with its infrastructure containing 102 "Distributor" and the linked to a 104 Web Server Cluster. These elements are unique to Duval and essential for this invention to work. As indicated earlier simply combining the two inventions could not operate, as the incompatible data types could not produce desired results. Purnaveja relies on a streaming (audio/video) server, associated authoring, and encoding to achieve interactivity. This method could not work using a "typical" broadcast video source such as the ones cited by Weinstein and Duval. This method has no means to get the interactive data to the user other embedding it in the streamed content. Similarly applying Purnaveja to Weinstein would not produce useful results. The two methods of content delivery are incompatible from an Audio, Video and dataflow perspective (IP versus traditional broadcasts with embedded data).

Purnaveja relies on streamed video content off the Internet, while Weinstein relies on traditional broadcast for its video. Purnaveja combines the audio/video and interactive

Application/Control Number: 09/965,593
Art Unit: 2157

data into a proprietary stream for the user's computer to decode and display using a proprietary viewer. Weinstein relies on the user typing a standard IP address [URL] into a web browser to access a "home page" in order to receive interactive data or alternatively having a TV Tuner [IF card] present in the users system to detect and decode embedded signals in the VBI which can be combined with the "home page data" if present. [This process is known to all skilled in the art.] Both cases either combined or separately could NOT possibly envision Duval's invention [Duval claim 1, or other claims].

In conclusion I ask the examiner to kindly review the above rebuttal and please allow my claims as stated.

I'm available to discuss this matter at your convenience, phone: 408-242-5469.

Thank you, for your consideration.

Best regards,


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